



NORTH AMERICA SOUTH AMERICA EUROPE ASIA

200 Park Avenue
New York, NY 10166
T +1 (212) 294-6700
F +1 (212) 294-4700

November 10, 2022

VIA ECF

The Honorable P. Kevin Castel
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 11D
New York, New York 10007

Re: Preston Hollow Capital, LLC v. Nuveen Asset Management, LLC, Case No. 1:20-cv-05597-PKC

Dear Judge Castel:

We write on behalf of Defendants Nuveen Asset Management LLC (“Nuveen”) and John V. Miller (“Miller”) (together, “Defendants”) in the above-referenced action. Plaintiff Preston Hollow Capital (“Preston Hollow” or “Plaintiff”) joins this letter. A case management conference in this matter has been set for November 15th. For Your Honor’s convenience, we write in advance of that conference to provide a brief status update.

Consistent with the governing case schedule (ECF No. 77), the parties served their last new fact discovery requests on October 31st. A few already-noticed fact depositions remain to be scheduled and taken over the coming weeks. The parties also expect to receive limited productions from several third parties in the near future. Two letter-motions to compel certain fact discovery recently were filed by the parties and are pending before Magistrate Judge Cott, and a third pending discovery motion has recently been transferred to this District.

Expert discovery has begun, with PHC having served one expert report on September 26th and two more on October 31st. Defendants’ reports are due on January 31st, and PHC’s reply reports are due on February 28th. The parties have reached an agreement in principle that each expert will be deposed once after each report he or she submits, whose more detailed terms are being finalized. There are no current disputes in connection with expert discovery.

The parties do not believe there are any matters requiring Your Honor’s attention at this time. Nevertheless, we would be happy to provide a further update at the upcoming conference, if that would be helpful for the Court.

Respectfully submitted,

/s/ Eva W. Cole
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